

REMARKS

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119(a) - (d) and further acknowledging receipt of the certified copy of the priority document.

Applicant respectfully requests a status from the Examiner and the Official Draftsperson as to the formal drawings filed on March 16, 2001.

Claims 1-8 are all the claims pending in the application. Applicant has amended claims 1-3. These amendments are not narrowing, therefore no Festo estoppel should result. No new matter has been introduced. MPEP §706.03(o)(8th Edition). Applicant is adding new claim 8.

Claims 1 and 2 under 35 U.S.C. § 102(b) - Hiroaki

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Hiroaki (U.S. Patent No. 5,786,846; hereinafter Hiroaki). This rejection is respectfully traversed.

Regarding claim 1, Hiroaki fails to disclose or suggest “*means for guiding the operator’s line of sight to a specific direction,*” as recited in claim 1. The notification information generation section 501 of Hiroaki merely *notifies a user that the user has deviated from the shoot range of the camera. (emphasis added)*. (Column 13, lines 41-50 of Hiroaki). More particularly, the notification information generation section 501 of Hiroaki does not guide the user’s line of sight to a specific direction. Applicant submits that the problems addressed in the present invention are dissimilar to those addressed in Hiroaki. While Hiroaki discloses a variety of

notification means, none of them guide the user's line of sight to a specific direction. As disclosed by Hiroaki, by combining a visual image and sound to notify the user that the user has deviated from the shoot range of the camera, the user may perceive his/her deviation even if the user does not see the display. (Column 13, lines 54-59 of Hiroaki). Clearly, the notification section of Hiroaki fails to disclose or suggest the above-mentioned limitation of claim 1.

Under MPEP §2131(8th Edition), a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. V. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. Applicant submits that Hiroaki fails to disclose or suggest all the limitations of claim 1. Applicant respectfully requests that this rejection be withdrawn.

Applicant submits that claim 2 is patentable at least by virtue of its dependency on claim 1.

B. Claims 3-7 under 35 U.S.C. § 103(a) – Hiroaki and Ota

The Examiner has rejected claims 3-7 under 35 U.S.C. § 103(a) as being unpatentable over Hiroaki in view of Ota (JP 363276352A). The Examiner acknowledges that Hiroaki fails to teach: determining whether the phone is in use or not according to a voice input signal output from a microphone. The Examiner asserts that Ota compensates for the deficiencies of Hiroaki.

Applicant submits that Ota fails to teach or suggest “*means for guiding the operator's line of sight to a specific direction,*” as recited in claim 1. Therefore, Applicant maintains that

the combination of Hiroaki and Ota fail to teach or suggest claim 1. Based on the above, Applicant submits that claims 3-7 are patentable at least by virtue of their dependency from claim 1.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Once Amended) A picture-phone device for an operator to exchange images and voices with the party on the other end via a communication circuit comprising:

an imaging portion, [and]

an image display portion, [wherein]and

means for guiding [the line of sight for guiding] the operator's line of sight to a specific direction [is provided].

2. (Once Amended) The picture-phone device claimed in claim 1, wherein means for guiding the [line of sight]operator's line of sight [provides]comprising:

indicating means [therein] for giving indications [with respect] to the operator for guiding the operator's line of sight.

3. (Once Amended) The picture-phone device claimed in claim 2, comprising:

control means for controlling indicating means in response to a result of whether the picture-phone is in use or not according to a voice input signal output from a microphone.

Claim 8 is added as a new claim.